

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.142 of 2015

ORDER:

It is submitted by the learned counsel for the petitioner that in similar circumstances, this Court disposed of W.P.No.39444 of 2014 on 23.12.2014.

2. Learned Government Pleader for Home has not disputed the same.

3. In view of the same, following the order, dated 23.12.2014, passed in W.P.No.39444 of 2014, this Writ Petition is disposed of as follows:

In view of the amended Rule 9-Q (1) (i) and (ii), read with Rule 9-Q (6), the petitioner is permitted to submit an application to the officer, who seized the vehicle; the said officer shall, within three days from the date of receipt of the application; examine whether the vehicle was used in committing the offence for the first and the second time; and, if so, consider directing release of the vehicle on payment of the prescribed penalty. If, on the other hand, the vehicle is found to have been used in the commission of the offence, for three or more times, the officer concerned shall consider directing release of the vehicle, in accordance with Rule 9-Q (6), on a bond being executed by the owner of the vehicle for its production as and when directed by the Court.

The entire exercise, culminating in an order being passed, shall be completed within three days from the date of submission of the representation by the petitioner; and necessary action shall be taken for release of the vehicle, in cases falling within the ambit of Rule

9-Q (1) (i), on payment of the prescribed penalty; and, in other cases, on a bond being executed in terms of Rule 9-Q (6) of the Rules. Similar order has also been passed in W.P.No.15938 of 2014 on 11.06.2014.

4. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

A. RAJASHEKER REDDY, J

7th January 2015

mar/prv